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Attorneys for Defendant and Counterclaimant  
SONY ELECTRONICS INC.

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

OLYMPIC DEVELOPMENTS AG, LLC,

Plaintiff,

v.

APPLE, INC., BARNESANDNOBLE.COM  
LLC, SONY ELECTRONICS INC.

Defendants.

Case No. C-11-01655 EJD

Judge: Hon. Edward J. Davila

**JOINT STIPULATION AND  
[PROPOSED] ORDER TO SEVER  
PLAINTIFF'S CLAIMS AGAINST  
SONY ELECTRONICS INC.**

AND RELATED COUNTERCLAIMS

1 Pursuant to Civil L.R. 7-12 and Federal Rules of Civil Procedure 20(a)(2) and 21, Plaintiff  
2 Olympic Developments AG, LLC (“Plaintiff”) and Defendant Sony Electronics Inc. (“SEL”)  
3 (collectively “the Parties”), by and through their respective counsel, hereby agree and stipulate, and  
4 respectfully request the Court to enter an Order severing SEL from this action so that the Parties may  
5 coordinate consolidation of Plaintiff’s and SEL’s claims with a related case involving an affiliate  
6 entity, Sony Computer Entertainment America LLC (“SCEA”). This joint stipulation sets forth the  
7 following facts upon which the Parties agree:

8 1. Plaintiff filed the current action against SEL and several other defendants on  
9 September 28, 2010 in the United States District Court for the Central District of California, alleging  
10 patent infringement. Plaintiff filed its First Amended Complaint on November 18, 2010.

11 2. On February 18, 2011, Plaintiff and SEL along with two other defendants, Apple, Inc.  
12 and barnesandnoble.com LLC, filed a Joint Stipulation and Motion to Sever and Transfer Plaintiff’s  
13 Claims to the United States District Court for the Northern District of California. *Doc. 85*. The  
14 court granted the joint motion on February 28, 2011. *Doc. 89*. Following severance and transfer, the  
15 Parties, including Apple, Inc. and barnesandnoble.com LLC, were docketed before this Court.

16 3. In a separate action currently pending before the Honorable Joseph C. Spero of this  
17 Court, *Olympic Developments AG, LLC v. Sony Computer Entertainment America LLC*, No. 3:11-  
18 cv-01080-JCS (the “SCEA Action”), Plaintiff asserts claims against SCEA arising out of the same  
19 patents at issue in the current action. In the SCEA Action, SCEA also asserts counterclaims against  
20 Plaintiff regarding the same patents that are at issue in SEL’s counterclaims in this action. SEL’s  
21 counsel in this action is the same as SCEA’s counsel in the SCEA Action. SEL and SCEA are  
22 affiliated corporations.

23 4. The Parties have engaged in several meet and confer discussions to join SEL in the  
24 SCEA Action. These discussions were described in subsequent filings in the SCEA Action, in  
25 which the Parties stated that “Plaintiff, SCEA, and SEL have agreed that the convenience of all  
26 parties and consistent and efficient judicial management would benefit from removing Plaintiff’s and  
27 SEL’s claims from the [this] Action and asserting them in [the SCEA Action].” Case No. 3:11-cv-  
28 01080-JCS, *Docs. 91, 92*.

1           5.       Severance will neither prejudice the Parties nor augment the current schedules for  
2 either the current case or the SCEA Action. Both courts have scheduled respective Case  
3 Management Conferences for September 16, 2011.

4           6.       In order to avoid unnecessary motion practice and further expense of the Parties and  
5 the Court's resources, the Parties, by and through their respective counsel, request an Order severing  
6 SEL from the present action.

7                       REMAINDER OF PAGE LEFT INTENTIONALLY BLANK

1 WHEREFORE, the Parties, by and through their respective counsel, hereby stipulate to and  
2 request this Court to enter an Order severing SEL from this action.

3 Dated: August 19, 2011

Respectfully submitted,

4 **WHITE FIELD, INC.**

5 By: /s/ Steven W. Ritcheson

6 Steven W. Ritcheson  
7 ATTORNEY FOR PLAINTIFF OLYMPIC  
8 DEVELOPMENTS AG, LLC

9 Dated: August 19, 2011

Respectfully submitted,

10 **SHOOK, HARDY & BACON**

11 By: /s/ Eric A. Buresh

12 Eric A. Buresh  
13 ATTORNEYS FOR DEFENDANT  
14 SONY ELECTRONICS INC.

15 Pursuant to General Order No. 45.X.B., the below filer attests that concurrence in the filing  
16 of this document has been obtained from the above Signatories.

17 Dated: August 19, 2011

/s/ Andrew L. Chang

Andrew L. Chang

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

The Clerk shall open a new case number for  
19 *Olympic Developments AG, LLC v. Sony*  
20 *Electronics, Inc.* and file a copy of the  
21 complaint and this Stipulation and Order in  
22 the new case.

23 Dated: August 23, 2011



24 HONORABLE EDWARD J. DAVILA  
25 UNITED STATES DISTRICT JUDGE  
26  
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